

REMARKS

The allowance of claims 16 and 17 is acknowledged with appreciation.

The rejection of claims 1-15 and 18-32 under 35 U.S.C. §112, second paragraph, is believed overcome by the foregoing amendment of claim 1 to include the missing formula XIII. The Examiner's assistance in pointing out this defect is acknowledged with appreciation.

The original patent was duly surrendered to the U.S. Patent and Trademark Office with the original reissue application papers on September 11, 2003. As evidence hereof, attached are copies of the Transmittal and Patent Certificate, together with a copy of counsel's receipt card bearing the confirmation sticker of the U.S. Patent and Trademark Office.

The comment in the Final Action regarding compliance with 37 C.F.R. §1.121(c) is not understood because this regulation does not apply to reissue applications. Instead, amendments in reissue applications are governed by the provisions of 37 C.F.R. §1.173(b).

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.


If there are any questions regarding this response or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/659,680  
Reply to Final Action  
July 12, 2005

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029310.48674RE).

Respectfully submitted,

July 12, 2005

  
\_\_\_\_\_  
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JDE:moi

Attachments:

Copy of Transmittal of Patent  
Copy of Receipt Card



Attorney Docket: 029310.48674RE  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BERND SUNDERMANN ET AL  
Serial No.: (Not Yet Assigned)  
Filed: (Concurrently Herewith)  
Title: 3-AMINO-3-ARYLOPROPAN-1-OLCOMPOUNDS, THEIR  
PREPARATION AND USE  
Reissue of: U.S. 6,288,278  
Issued: September 11, 2001

TRANSMITTAL OF RIBBONED ORIGINAL PATENT


**Mail Stop Reissue**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for surrender to the Patent and Trademark Office in  
the accompanying reissue application is the ribboned original letters patent no.  
6,288,278.

Respectfully submitted,

September 11, 2003

  
\_\_\_\_\_  
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The  
United  
States  
of  
America



The Director of the United States  
Patent and Trademark Office

*Has received an application for a patent for a new and useful invention. The title and description of the invention are enclosed. The requirements of law have been complied with, and it has been determined that a patent on the invention shall be granted under the law.*

*Therefore, this*

**United States Patent**

*Grants to the person(s) having title to this patent the right to exclude others from making, using, offering for sale, or selling the invention throughout the United States of America or importing the invention into the United States of America for the term set forth below, subject to the payment of maintenance fees as provided by law.*

*If this application was filed prior to June 8, 1995, the term of this patent is the longer of seventeen years from the date of grant of this patent or twenty years from the earliest effective U.S. filing date of the application, subject to any statutory extension.*

*If this application was filed on or after June 8, 1995, the term of this patent is twenty years from the U.S. filing date, subject to any statutory extension. If the application contains a specific reference to an earlier filed application or applications under 35 U.S.C. 120, 121 or 365(c), the term of the patent is twenty years from the date on which the earliest application was filed, subject to any statutory extensions.*

*Nicholas P. Ebolici*

Acting Director of the United States Patent and Trademark Office

*Brenda Moore*

Attest



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Mail Stop Reissue

Att'y Docket: 029310:48674RE  
Inventor(s): BERND SUNDERMANN ET AL  
Serial No: Not Yet Assigned  
Filing Date: September 11, 2003

Today's Date: September 11, 2003

The following has been received in the U. S. Patent & Trademark Office on the date stamped hereon:

- x Reissue Patent Application Transmittal
- x Fee Transmittal Form
- x Specification, including 32 claims (16 pages)
- x Executed Reissue Declaration
- x Consent of Assignee and Statement under 37 CFR 3.73(b)
- x Statement of Status of all Claims under 37 CFR 1.173(c)
- x Ribbed Original US Patent No. 6,288,278
- x Information Disclosure Statement including PTO-1449 Form w/ 4 references
- x Check No. 253681 in the amount of \$ 750.00



DUE DATE September 11, 2003

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